

REMARKS

Claims 19-32 are pending in the above-identified application. Claims 19 and 31 have been amended and claim 32 has been newly added. Applicants respectfully submit that no new matter is presented by these amendments and entry thereof is respectfully requested.

Claims 19-23 and 31 have been rejected under 35 U.S.C. 112, second paragraph, as being vague and indefinite. In particular, the Examiner requests clarification as to the meaning of the term "feed stock". Applicants respectfully submit that it is clear from the specification that the term "feed stock" is used to define the material that is introduced into a spray dryer according to the present invention. To further clarify this, Applicants have amended the claims to recite a liquid feed stock (emphasis added). This is described, for example, at page 8, lines 26-27; page 11, lines 21-25; and page 12, lines 9-15 and in the Examples. Applicants respectfully submit that this term is clearly defined in the specification and the rejection under 112, second paragraph, should be withdrawn.

The Examiner states that claims 20-23 do not further limit the claims as they recite ranges and not specific diameters for the particles. This rejection is respectfully traversed. Claims 20-23 define one aspect of the invention which enables the production of narrow particle size distributions irrespective of particular particle sizes. However, in order to further prosecution, Applicants have added the limitation whereby the particles have a mass median aerodynamic diameter of less than 10 microns. Applicants respectfully request that this rejection be withdrawn.

Lastly, the abbreviations of claim 31 have been replaced. In view of this amendment, Applicants respectfully submit that the rejection has been overcome and should be withdrawn.

Claims 19-24 and 26-31 have been rejected under 35 U.S.C. 103 as being obvious over Christensen et al. Applicants have amended the claims to clarify that the feed stock of the present invention is a liquid feed stock. The method of the present invention is directed to producing a dried particulate product from this liquid feed stock by a spray drying method. To the contrary, the feed 25 entering dryer 10 of the apparatus of Christensen et al. is already a powdered or particulate product coming from, for example, a spray dryer. See column 6, lines 5-8. Thus, it is readily apparent that the present invention as claimed is directed to a process quite distinct from that disclosed in Christensen et al. Christensen et al. in no way discloses or

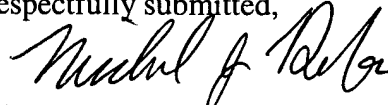
suggests a spray drying process for forming a dried particulate as claimed. Applicants respectfully submit that the rejection is in error and should be withdrawn.

Claim 25 has been rejected under 35 U.S.C. 103 as being obvious over Christensen et al. in view of Noda et al. Noda et al. in no way overcomes the above deficiencies of Christensen et al. and thus fails to render the instant invention obvious. This rejection is in error and should be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass the application to issue. The Examiner is invited to contact the undersigned at (650) 631-5053 with respect to any unresolved issues remaining in this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Rafa", written in a cursive style.

Michael J. Rafa (Reg. No. 38,740)

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